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PATENT APPLICATION  
10/603,240

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stephen P. Hershey et al.  
Serial No.: 10/603,240  
Filed: June 24, 2003  
Group No.: 2619  
Examiner: John Pezzlo  
Notice of Allowance Mailed: April 14, 2008  
Confirmation No.: 5628  
Title: DISTRIBUTED DYNAMIC CHANNEL SELECTION IN A  
COMMUNICATION NETWORK

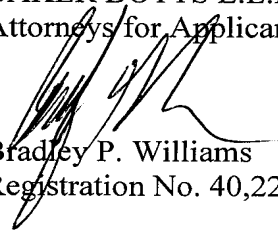
**Mail Stop Issue Fee**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**RESPONSE TO REASONS FOR ALLOWANCE**

Applicants appreciate the Examiner's allowance of Claims 1, 3-24, 26-47, and 49-71. Pursuant to 37 C.F.R. § 1.104, Applicants respectfully issue a statement commenting on the Examiner's reasons for allowance. Applicants respectfully disagree with the Examiner's reasons for allowance to the extent that they are inconsistent with applicable case law, statutes, and regulations. Furthermore, Applicants do not admit to any characterization or limitation of the claims or to any characterization of a reference by the Examiner, particularly any that are inconsistent with the language of the claims considered in their entirety and including all of their constituent limitations.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicants

  
Bradley P. Williams  
Registration No. 40,227

Date: 7/14/08  
**CUSTOMER NO. 45507**